

### REMARKS

Claims 81-92, 97-98, 101-102, 111, and 117-118 are indicated by the Office to recite patentable subject matter. Applicant thanks the Examiner for the recognition of patentable subject matter in the present application.

Applicant hereby adds new claims 121-123. Accordingly, claims 64-123 are pending in the present application.

Claims 64-65, 67, 69-75, 77-80, 103-110, 112-115, and 119-120 stand rejected under 35 U.S.C. 102(e) for anticipation by U.S. Patent No. 4,104,589 to Baker et al. Claims 64-65, 67-71, 75, 77-80, 103-110, 112-115, and 119-120 stand rejected under 35 U.S.C. 102(e) for anticipation by U.S. Patent No. 6,020,750 to Berger et al.

Applicant respectfully traverses the rejections and urges allowance of the present application.

Referring to the prior art rejection of claim 64, the wafer processing apparatus comprises a wafer holder including an electrical coupling configured to electrically couple with the electrical coupling of a wafer and to *communicate signals between the wafer and the wafer holder during fabrication of integrated circuitry of the wafer using the wafer processing apparatus*. Claim 64 recites allowable subject matter.

Baker discloses a chuck for use in testing of semiconductor wafers. The chuck includes conductive members 11, 12 for conducting test signals with respect to the semiconductive wafer under test. Referring to col. 3, lines 30-35 of Baker, *the wafer*

*includes a plurality of rows of device pellets which individually include a single fabricated semiconductor unit.* The apparatus of Baker provides measurements capable of closely approximating the final package device performance as set forth in col. 5, lines 5-10. It is clear that Baker is only directed towards testing of already fabricated devices to approximate the final device performance. The testing of already fabricated devices fails to disclose or suggest the communication of signals between the wafer and the wafer holder during fabrication of the integrated circuitry as claimed. Positively-recited limitations of claim 64 are not disclosed nor suggested by Baker and claim 64 is allowable over Baker for at least this reason.

Berger clearly relates to testing and provides absolutely no fabrication of integrated circuitry using the claimed wafer processing apparatus. As set forth in col. 4, lines 1-2, Berger discloses a test head for testing a plurality of chips on wafer 12. As set forth in col. 1, lines 12-17, Berger addresses the problem of *testing a full wafer after formation of semiconductor chips using the wafer*. Accordingly, Berger relates to testing of already fabricated devices. In no fair interpretation may Berger be fairly considered to disclose or suggest the *wafer holder including the electrical coupling configured to communicate signals between the wafer and the wafer holder during fabrication of integrated circuitry of the wafer using the wafer processing apparatus*. Positively-recited limitations of claim 64 are not shown nor suggested by Berger and claim 64 is allowable over Berger for at least this reason.

The wafer processing apparatus of claim 64 recites limitations not disclosed nor suggested by the prior art of record and claim 64 is allowable for at least this reason.

The claims which depend from independent claim 64 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Claim 79 recites the wafer processing apparatus comprising a *wafer holder having circuitry configured to communicate a process signal from a received wafer and containing information regarding processing of the wafer during fabrication of integrated circuitry of the received wafer*. Baker discloses a chuck for testing already fabricated semiconductor units and Berger is directed towards testing of a wafer after formation of semiconductor chips. Baker and Berger fail to disclose or suggest communication of a process signal using a wafer holder during fabrication of integrated circuitry of the received wafer using the wafer processing apparatus as claimed. Claim 79 recites limitations not shown nor suggested by the prior art and claim 79 is allowable for at least this reason.

The claims which depend from independent claim 79 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Claim 108 recites an article of manufacture comprising a wafer processing apparatus comprising a *wafer holder which comprises an electrical coupling to communicate signals between at least one wafer and the wafer holder during fabrication*

of integrated circuitry of the at least one wafer using the wafer processing apparatus.

Baker discloses a chuck for testing already fabricated semiconductor units and Berger is directed towards testing of a wafer after formation of semiconductor chips. Baker and Berger fail to disclose or suggest communication of signals using an electrical coupling of a wafer holder during fabrication of integrated circuitry of the wafer using the wafer processing apparatus as claimed. Claim 108 recites limitations not shown nor suggested by the prior art and claim 108 is allowable for at least this reason.

The claims which depend from independent claim 108 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Applicant filed a drawing amendment on October 20, 2003. Applicant respectfully requests clarification of the status of the drawing amendment.

As mentioned above, Applicant appreciates the recognition of patentable subject matter in the present application. However, Applicant has the following comments regarding the statement on page 11 of the Action regarding allowance. Applicant objects to and disagrees with such statement as including language not included in at least some of Applicant's claims. The patent statutes require claims to be presented and interpreted in accordance with what the Applicant regards as his invention. Accordingly, the claims must be read as Applicant regards them (as they are worded). The statements as currently worded might be interpreted later as reading limitations into Applicant's claims which simply

are not there. For example, claim 91 is void of any reference to a sensor or an intermediate member which are present within the statement on page 11 of the Action.

Applicant regards aspects of his invention as defined by the claims. MPEP §1302.14 (8<sup>th</sup> ed., rev. 2) states, in part, that where specific reasons are recorded by the examiner, *care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims.* The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible effects.

In accordance with the above, the Examiner must interpret the claims in accordance with their literal wording, and to the extent the Examiner has not already done so, such is mandated now. If the Examiner relies upon allowance based upon language not appearing in the claims, the Examiner must reject the claims and suggest insertion of such language. Then, Applicant can respond as deemed appropriate.

Allowance of the claims as literally worded is urged. If the Examiner's next action is a Notice Of Allowance, this file history is to be interpreted as if the Examiner's statement of reasons for allowance in the last Action never existed or was withdrawn. If the Examiner disagrees with this just stated position, claim rejections are mandated.

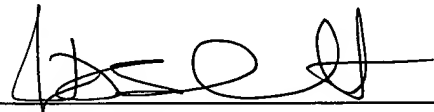
Applicant adds new claims 121-123 which are supported at least by Figs. 1-3 and associated teachings of the originally filed application.

Applicant respectfully requests allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,

Dated: 1/10/05

By:   
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